

AMENDMENTS TO THE CLAIMS

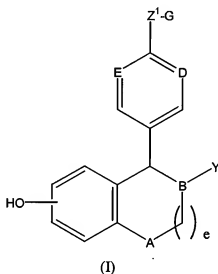
Please enter the following amendments to the claims.

1.-9. (canceled)

10. (original) A kit for use by a consumer to treat osteoarthritis, the kit comprising:

(a) a pharmaceutical composition comprising an estrogen agonist / antagonist of formula

(I):



wherein:

A is selected from CH_2 and NR ;

B, D and E are independently selected from CH and N;

Y is

- (a) phenyl, optionally substituted with 1-3 substituents independently selected from R^4 ;
- (b) naphthyl, optionally substituted with 1-3 substituents independently selected from R^4 ;
- (c) $\text{C}_3\text{-C}_8$ cycloalkyl, optionally substituted with 1-2 substituents independently selected from R^4 ;

(d) C₃-C₈ cycloalkenyl, optionally substituted with 1-2 substituents independently selected from R⁴;

(e) a five membered heterocycle containing up to two heteroatoms selected from the group consisting of -O-, -NR²- and -S(O)_n-, optionally substituted with 1-3 substituents independently selected from R⁴;

(f) a six membered heterocycle containing up to two heteroatoms selected from the group consisting of -O-, -NR²- and -S(O)_n- optionally substituted with 1-3 substituents independently selected from R⁴; or

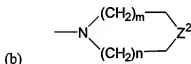
(g) a bicyclic ring system consisting of a five or six membered heterocyclic ring fused to a phenyl ring, said heterocyclic ring containing up to two heteroatoms selected from the group consisting of -O-, -NR²- and -S(O)_n-, optionally substituted with 1-3 substituents independently selected from R⁴;

Z¹ is

- (a) -(CH₂)_p W(CH₂)_q-;
- (b) -O(CH₂)_p CR⁵R⁶-;
- (c) -O(CH₂)_p W(CH₂)_q-;
- (d) -OCHR²CHR³-; or
- (e) -SCHR²CHR³-;

G is

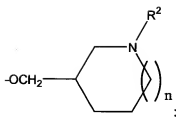
- (a) -NR⁷R⁸;



wherein n is 0, 1 or 2; m is 1, 2 or 3; Z² is -NH-, -O-, -S-, or -CH₂-; optionally fused on adjacent carbon atoms with one or two phenyl rings and, optionally independently substituted on carbon with one to three substituents and, optionally, independently on nitrogen with a chemically suitable substituent selected from R⁴; or

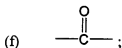
(c) a bicyclic amine containing five to twelve carbon atoms, either bridged or fused and optionally substituted with 1-3 substituents independently selected from R⁴; or

Z¹ and G in combination may be

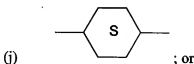


W is

- (a) $-\text{CH}_2-$;
- (b) $-\text{CH}=\text{CH}-$;
- (c) $-\text{O}-$;
- (d) $-\text{NR}^2-$;
- (e) $-\text{S}(\text{O})_n-$;



- (g) $-\text{CR}^2(\text{OH})-$;
- (h) $-\text{CONR}^2-$;
- (i) $-\text{NR}^2\text{CO}-$;



- (k) $-\text{C}\equiv\text{C}-$;

R is hydrogen or C_1 - C_6 alkyl;

R^2 and R^3 are independently

- (a) hydrogen; or
- (b) C_1 - C_4 alkyl;

R^4 is

- (a) hydrogen;
- (b) halogen;
- (c) C_1 - C_6 alkyl;
- (d) C_1 - C_4 alkoxy;
- (e) C_1 - C_4 acyloxy;
- (f) C_1 - C_4 alkylthio;
- (g) C_1 - C_4 alkylsulfanyl;

- (h) C₁-C₄ alkylsulfonyl;
- (i) hydroxy (C₁-C₄)alkyl;
- (j) aryl (C₁-C₄)alkyl;
- (k) -CO₂H;
- (l) -CN;
- (m) -CONHOR;
- (n) -SO₂NHR;
- (o) -NH₂;
- (p) C₁-C₄ alkylamino;
- (q) C₁-C₄ dialkylamino;
- (r) -NHSO₂R;
- (s) -NO₂;
- (t) -aryl; or
- (u) -OH;

R⁵ and R⁶ are independently C₁-C₈ alkyl or together form a C₃-C₁₀ carbocyclic ring;

R⁷ and R⁸ are independently

- (a) phenyl;
- (b) a C₃-C₁₀ carbocyclic ring, saturated or unsaturated;
- (c) a C₃-C₁₀ heterocyclic ring containing up to two heteroatoms, selected from -O-, -N- and -S-;
- (d) H;
- (e) C₁-C₆ alkyl; or
- (f) form a 3 to 8 membered nitrogen containing ring with R⁵ or R⁶;

R⁷ and R⁸ in either linear or ring form may optionally be substituted with up to three substituents independently selected from C₁-C₆ alkyl, halogen, alkoxy, hydroxy and carboxy; a ring formed by R⁷ and R⁸ may be optionally fused to a phenyl ring;

e is 0, 1 or 2;

m is 1, 2 or 3;

n is 0, 1 or 2;

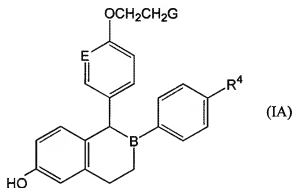
p is 0, 1, 2 or 3;

q is 0, 1, 2 or 3;

or an optical or geometric isomer thereof; or a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt or prodrug thereof, and a pharmaceutically acceptable carrier, vehicle or diluent; and

(b) instructions describing a method of using the pharmaceutical composition to treat osteoarthritis.

11. (original) The kit of claim 10 wherein the estrogen agonist / antagonist is a compound of formula (IA):



wherein G is



R^4 is H, OH, F, or Cl; and B and E are independently selected from CH and N or an optical or geometric isomer thereof; or a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt, or a prodrug thereof.

12. (original) The kit of claim 10 wherein the estrogen agonist / antagonist is (-)-cis-6-phenyl-5-[4-(2-pyrrolidin-1-yl-ethoxy)-phenyl]-5,6,7,8-tetrahydro-naphthalene-2-ol or an optical or geometric isomer thereof; or a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt, or a prodrug thereof.

13. (original) The kit of claim 12 wherein the estrogen agonist / antagonist is (-)-cis-6-phenyl-5-[4-(2-pyrrolidin-1-yl-ethoxy)-phenyl]-5,6,7,8-tetrahydro-naphthalene-2-ol, D-tartrate salt.

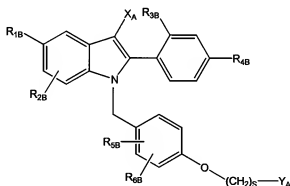
14. (original) A kit for use by a consumer to treat osteoarthritis, the kit comprising:

(a) a pharmaceutical composition comprising an estrogen agonist / antagonist that is selected from the group consisting of tamoxifen, 4-hydroxy tamoxifen, droloxifene, toremifene, centchroman, idoxifene, 6-(4-hydroxy-phenyl)-5-[4-(2-piperidin-1-yl-ethoxy)-benzyl]-naphthalen-2-ol, {4-[2-(2-aza-bicyclo[2.2.1]hept-2-yl)-ethoxy]-phenyl}-[6-hydroxy-2-(4-hydroxy-phenyl)-benzo[b]thiophen-3-yl]-methanone, EM-652, EM-800, GW 5638, GW 7604 and optical or geometric isomers thereof; and pharmaceutically acceptable salts, N-oxides, esters, quaternary ammonium salts, and prodrugs thereof, and a pharmaceutically acceptable carrier, vehicle or diluent; and

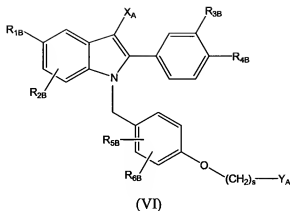
(b) instructions describing a method of using the pharmaceutical composition to treat osteoarthritis.

15. (original) A kit for use by a consumer to treat osteoarthritis, the kit comprising:

(a) a pharmaceutical composition comprising an estrogen agonist / antagonist of formula V or VI:



(V)



wherein:

R_{1B} is selected from H, OH, $-O-C(O)-C_1-C_{12}$ alkyl (straight chain or branched), $-O-C_1-C_{12}$ alkyl (straight chain or branched or cyclic), or halogens or C_1-C_4 halogenated ethers;

R_{2B} , R_{3B} , R_{4B} , R_{5B} , and R_{6B} are independently selected from H, OH, $-O-C(O)-C_1-C_{12}$ (straight chain or branched), $-O-C_1-C_{12}$ (straight chain or branched or cyclic), halogens, or C_1-C_4 halogenated ethers, cyano, C_1-C_6 alkyl (straight chain or branched), or trifluoromethyl;

X_A is selected from H, C_1-C_6 alkyl, cyano, nitro, trifluoromethyl, and halogen;

s is 2 or 3;

Y_A is the moiety:



wherein:

a) R_{7B} and R_{8B} are independently selected from the group of H, C_1-C_6 alkyl, or phenyl optionally substituted by CN, C_1-C_6 alkyl (straight chain or branched), C_1-C_6 alkoxy (straight chain or branched), halogen, $-OH$, $-CF_3$, or $-OCF_3$; or

b) R_{7B} and R_{8B} are concatenated to form a five-membered saturated heterocycle containing one nitrogen heteroatom, the heterocycle being optionally substituted with 1-3 substituents independently selected from the group consisting of hydrogen, hydroxyl, halo, C_1-C_4 alkyl,

trihalomethyl, C₁-C₄ alkoxy, trihalomethoxy, C₁-C₄ acyloxy, C₁-C₄ alkylthio, C₁-C₄ alkylsulfanyl, C₁-C₄ alkylsulfonyl, hydroxy (C₁-C₄)alkyl, -CO₂H, -CN, -CONHR_{1B}, -NH₂, -NH(C₁-C₄ alkyl), -N(C₁-C₄ alkyl)₂, -NHSO₂R_{1B}, -NHCOR_{1B}, -NO₂, or phenyl optionally substituted with 1-3 (C₁-C₄)alkyl; or

c) R_{7B} and R_{8B} are concatenated to form a six-membered saturated heterocycle containing one nitrogen heteroatom, the heterocycle being optionally substituted with 1-3 substituents independently selected from the group consisting of hydrogen, hydroxyl, halo, C₁-C₄ alkyl, trihalomethyl, C₁-C₄ alkoxy, trihalomethoxy, C₁-C₄ acyloxy, C₁-C₄ alkylthio, C₁-C₄ alkylsulfanyl, C₁-C₄ alkylsulfonyl, hydroxy (C₁-C₄)alkyl, -CO₂H, -CN, -CONHR_{1B}, -NH₂, -NH(C₁-C₄ alkyl), -N(C₁-C₄ alkyl)₂, -NHSO₂R_{1B}, -NHCOR_{1B}, -NO₂, or phenyl optionally substituted with 1-3 (C₁-C₄)alkyl; or

d) R_{7B} and R_{8B} are concatenated to form a seven-membered saturated heterocycle containing one nitrogen heteroatom, the heterocycle being optionally substituted with 1-3 substituents independently selected from the group consisting of hydrogen, hydroxyl, halo, C₁-C₄ alkyl, trihalomethyl, C₁-C₄ alkoxy, trihalomethoxy, C₁-C₄ acyloxy, C₁-C₄ alkylthio, C₁-C₄ alkylsulfanyl, C₁-C₄ alkylsulfonyl, hydroxy (C₁-C₄)alkyl, -CO₂H, -CN, -CONHR_{1B}, -NH₂, -NH(C₁-C₄ alkyl), -N(C₁-C₄ alkyl)₂, -NHSO₂R_{1B}, -NHCOR_{1B}, -NO₂, or phenyl optionally substituted with 1-3 (C₁-C₄)alkyl; or

e) R_{7B} and R_{8B} are concatenated to form an eight-membered saturated heterocycle containing one nitrogen heteroatom, the heterocycle being optionally substituted with 1-3 substituents independently selected from the group consisting of hydrogen, hydroxyl, halo, C₁-C₄ alkyl, trihalomethyl, C₁-C₄ alkoxy, trihalomethoxy, C₁-C₄ acyloxy, C₁-C₄ alkylthio, C₁-C₄ alkylsulfanyl, C₁-C₄ alkylsulfonyl, hydroxy (C₁-C₄)alkyl, -CO₂H, -CN, -CONHR_{1B}, -NH₂, -NH(C₁-C₄ alkyl), -N(C₁-C₄ alkyl)₂, -NHSO₂R_{1B}, -NHCOR_{1B}, -NO₂, or phenyl optionally substituted with 1-3 (C₁-C₄)alkyl; or

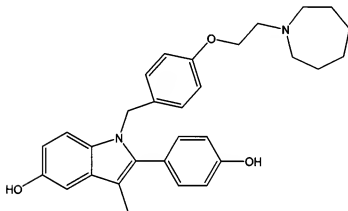
f) R_{7B} and R_{8B} are concatenated to form a saturated bicyclic heterocycle containing from 6-12 carbon atoms either bridged or fused and containing one nitrogen heteroatom, the heterocycle being optionally substituted with 1-3 substituents independently selected from the group

consisting of hydrogen, hydroxyl, halo, C₁-C₄ alkyl, trihalomethyl, C₁-C₄ alkoxy, trihalomethoxy, C₁-C₄ acyloxy, C₁-C₄ alkylthio, C₁-C₄ alkylsulfinyl, C₁-C₄ alkylsulfonyl, hydroxy (C₁-C₄)alkyl, -CO₂ H, -CN, -CONHR_{1B}, -NH₂, -NH(C₁-C₄ alkyl), -N(C₁-C₄ alkyl)₂, -NHSO₂R_{1B}, -NHCOR_{1B}, -NO₂, or phenyl optionally substituted with 1-3 (C₁-C₄) alkyl; or an optical or geometric isomer thereof; or a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt or prodrug thereof, and a pharmaceutically acceptable carrier, vehicle or diluent; and

(b) instructions describing a method of using the pharmaceutical composition to treat osteoarthritis.

16. (original) A kit for use by a consumer to treat osteoarthritis, the kit comprising:

(a) a pharmaceutical composition comprising an estrogen agonist / antagonist of formula Va (TSE-424) below:



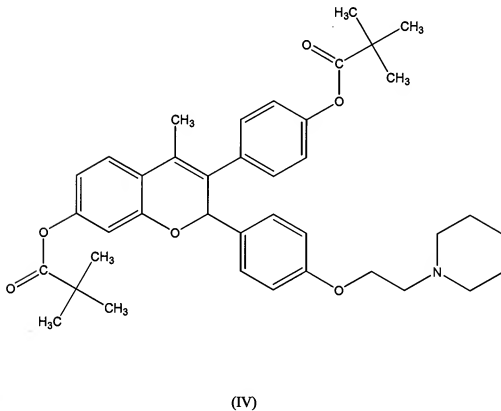
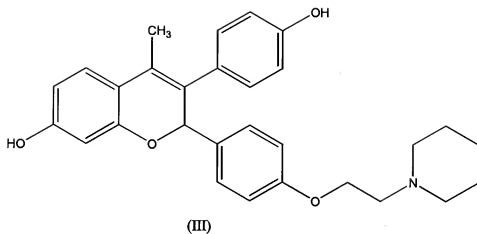
(Va)

or an optical or geometric isomer thereof; or a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt or prodrug thereof, and a pharmaceutically acceptable carrier, vehicle or diluent; and

(b) instructions describing a method of using the pharmaceutical composition to treat osteoarthritis.

17. (original) A kit for use by a consumer to treat osteoarthritis, the kit comprising:

(a) a pharmaceutical composition comprising an estrogen agonist / antagonist of formula III (EM-652) below or formula IV (EM-800) below:



or an optical or geometric isomer thereof; or a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt or prodrug thereof, and a pharmaceutically acceptable carrier, vehicle or diluent; and

(b) instructions describing a method of using the pharmaceutical composition to treat osteoarthritis.

18. (original) The kit of claim 10 wherein the kit further comprises an additional compound that is useful to treat osteoarthritis arthritis.

19. (original) The kit of claim 18 wherein the additional compound is a nonsteroidal anti-inflammatory drug.

20. (original) The kit of claim 18 wherein the additional compound is a COX-2 inhibitor.

21. (currently amended) The kit of claim 20 wherein the COX-2 inhibitor is ~~Celebrex~~[®] or ~~Vioxx~~[®] celecoxib.

22. (original) A kit for use by a consumer to treat osteoarthritis, the kit comprising:

(a) an estrogen agonist / antagonist;

(b) a COX-2 inhibitor;

(c) instructions describing a method of using the estrogen agonist / antagonist and COX-2 inhibitors to treat osteoarthritis; and

(d) a container for the estrogen agonist / antagonist, COX-2 inhibitor, and instructions.

23. (currently amended) The kit of claim 22 wherein the estrogen agonist / antagonist is (-)-cis-6-phenyl-5-[4-(2-pyrrolidin-1-yl-ethoxy)-phenyl]-5,6,7,8-tetrahydro-naphthalene-2-ol or an optical or geometric isomer thereof; a pharmaceutically acceptable salt, N-oxide, ester, quaternary ammonium salt, or a prodrug thereof, and the COX-2 inhibitor is ~~Celebrex~~[®] celecoxib or ~~Vioxx~~[®].

24.-25. (canceled)